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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,845	11/29/2001	Jai P. Menon	BELL-0169/01414	6405

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EXAMINER	
JASMIN, LYNDA C	

ART UNIT	PAPER NUMBER
3627	

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/996,845	MENON ET AL.	
	Examiner	Art Unit	
	Lynda Jasmin	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *22 November 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Amendment received on November 22, 2004 has been acknowledged.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Putt (2003/0097296 A1).

Putt discloses the claimed method the method for acquiring a resource for at least one of a plurality of entities (via clients 24) with the steps of:

receiving, at a centralized agent (via provider organizations 30) of an organization (within a client organization 20), a request for the resource (via request for project 22) from at least two of the entities (clients 24),

reviewing, by the centralized agent (via system 10), each request for the resource (via evaluating each project), selecting a vendor (via selecting a service provider 32) capable of supplying the resource of the requests to the organization being selected (box [0101]), designating at least one individual from the organization to work with the selected vendor in developing and supplying the resource of the requests (box [0152]), producing a qualified request to be submitted to the selected vendor (box [0153-0166]), the qualified request being submitted to the selected vendor (box [0168], producing an agreement with the selected vendor being produced regarding terms (via defining parameters by which they shall perform the engagement), reviewing the produced agreement in view of the qualified request and approving same, the selected vendor thereafter undertaking to develop and supply the resource of the qualified request according to the approved agreement (box [0196]), and monitoring progress of the selected vendor according to the produced and approved agreement (box [062]).

Putt further discloses receiving a statement of need that includes information necessary for the centralized agent to act upon the request (via specifying request for proposal) and aggregating similar requests for concurrent handling (box [0096]).

Putt further discloses the centralized agent selecting the vendor based on at least one of a suggestion in the request, on a bidding procedure, on experience, on

ability to supply the organization for the resource, and on a pre-existing relationship between the organization and the vendor (matching service providers, see box [0150]).

Putt also discloses the steps of producing the agreement includes the selected vendor and the designated individual working together to reach agreement regarding such terms (via negotiation terms of the proposal for the project, box [0201]), the selected vendor and the designated individual defining milestones and criteria that must be satisfied in developing and supplying the resource (box [0221]), reviewing the produced agreement in terms of a member of a group consisting of cost, terms, ability to satisfy needs of the organization, and combinations thereof (see boxes [0187-0194]).

Although, Putt fails to explicitly disclose that the designation of at least one individual from the organization to work with the selected vendor, is performed by the centralized agent. However this feature is inherently recited. Putt discloses that the system 10 initiates a collaborative environment wherein participants manage project request lifecycle. Thus, since the system (10) provide a framework for receiving and evaluating request it would have been obvious to one of ordinary skill in the art the time the invention was made to have provided the system of Putt with the designation of a project participant since such would only allow the system to assign which participant, within the client organization, is best fit to supervise a specific project and the Examiner takes Official Notice as such.

Further, Putt does not explicitly disclose performing a periodic review to determine whether each milestone and criteria is satisfied and periodically re-assessing the qualified request for the resource to determine whether the qualified request is still

valid in view of whether needs of the organization have changed. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the periodic review in the system of Putt such would only be part in managing the project lifecycle.

Response to Arguments

5. Applicant argues that the Putt reference does not disclose or suggest "in acquiring a resource for at least two entities of a n organization, a centralized agent of the organization should or could receive a request from at least two of the entities and review each request." Contrary to applicant's arguments Putt does disclose a plurality of entities (client organizations 24) wherein an agent can receive a request from any two of the entities (client organizations 24) for reviewing projects requested. Applicant further argues that Putt does not disclose or suggest that "a centralized agent produce a single qualified request based on the requests from at least two entities to be submitted to the selected vendor." The centralized agent (via system 10) is capable of sending a single request to a selected vendor as claimed. Furthermore, 101 rejection has been withdrawn in view of the amendments of the claims. Applicant's arguments are deemed unpersuasive, claims 1-17 are finally rejected.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynda Jasmin whose telephone number is (703) 305-0465. The examiner can normally be reached on Monday- Friday (8:00-5:30) alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert P Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

3/9/05

Lynda Jasmin
Primary Examiner
Art Unit 3627

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